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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,181	01/12/2000	Daniel Esbensen	TOUC.022us2	6651

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EXAMINER

AN, SHAWN S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 11/05/2003

19

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/482,181

Applicant(s)

ESBENSEN, DANIEL

Examiner

Shawn S An

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-10, 12-22 and 27-32 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

- 6) ☒ Claim(s) 1-6, 8-10, 12-22 and 27-31 is/are rejected.

- 7) ☒ Claim(s) 32 is/are objected to.

- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. As per Applicant's instructions in Paper 18 as filed on 8/4/03, claims 1, 3-4, 8, 16-18, 21 have been amended, claims 7, 11, 23-26 have been canceled, and claims 27-32 have been newly added.

### ***Response to Remarks***

2. Applicant's arguments with respect to claims 1-6, 8-10, 12-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6, 9-10, 12-22, and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vaio (6,271,752 B1) in view of Harman et al (4,249,207).

Regarding claims 1, 3, 16-17, 21-22, and 27, Vaio discloses a method of surveillance using camera, comprising:

capturing a plurality of still frames from a camera, and generating a sequence of image data sets representing perceptible images (Fig. 4, 306);

at the camera, transmitting the sequence to a camera coordinator (12), the coordinator receiving image data set sequences from the camera;

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at the camera coordinator, determining, the incident (Fig. 4, 306, 308);  
from the camera coordinator transmitting the sequences of image data over a network to an image server, (Fig. 1; col. 3, lines 24-26);  
storing the sequence to an image server (308);  
providing the sequence to one or more clients for viewing by a user (Fig. 1, element 8; col. 3, lines 17-23)  
generating digital image data sets (28) that can be transmitted over a digital communication channel (30); transmitting the sequence over a communication network (14) to an image server (18) local to client viewing locations, wherein a function of the server is image delivery to client software (PC via Internet) for presentation to an observer, and wherein the server delivers image data for displaying a real time (col. 2, lines 45-49) representation of an image seen by the camera (Fig. 1); storing the sequence at the image server (18); in response to a request from a remote clients, transmitting image sequence data over a second network (20) to one or more clients for viewing, and wherein the image server allows a plurality of users to view images simple image coding (col. 8, lines 21-24).

Even though Vaio's image server is within local computer system, since the images are distributed from the image server via a network interface (14) to a remote end user, it would have been obvious to simply change a location of the image server to the same location as over network just not in a local area.

Vaios does not specifically disclose utilizing cameras for generating a sequence of digital data sets comprising a full frame and a plurality of differential frames, wherein a pixel in the differential frame that is within a threshold of a corresponding pixel in a preceding frame is set to transparent, and computing a difference indicating a degree of change from a preceding frame.

Vaios also does not specifically disclose analyzing captured image data from digital image capture devices, and generating security alarms based on image data.

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However, Harman et al teaches surveillance system comprising digital image capture devices for analyzing captured image data, and digitized image data sets, and generating security alarms based on image data; (abs.; col. 5, lines 14-29; col. 2, lines 14-35).

Harman et al also teaches a full frame and computing one or more subsequent differential frame (Fig. 6, 51), wherein a pixel in the differential frame that is within a threshold of a corresponding pixel in a preceding frame is set (col. 5, lines 30-67) as also specified in claims 4 and 10.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaio to incorporate the well known concept comprising a full frame and computing one or more subsequent differential frames indicating still frames captured at different times, wherein a pixel in the differential frame that is within a threshold of a corresponding pixel in a preceding frame is set as taught by Harman et al, so as to simply compute a percentage difference indicating a degree of change from a preceding frame as also specified in claims 9 and 18, in order to set the threshold in which a percentage change above the threshold as having the incident or a percentage change below the threshold as having no incident (motion) as an efficient way to transmit incident video data over the network to the clients' browser.

Regarding claims 2, 14, 19, and 20, the Examiner takes official notice that it is considered an obvious features for an image server to store images in a format designed for still image display, such as well known client browser, and/or designed for a storage of sequences for which incidents were detected for later transmission.

Regarding claims 5-6, the Examiner takes official notice that it is considered obvious feature for an image server to store images in a format designed for still image display, such as well known client browser, so that a client views all using a well known image encoding format for still image (JPEG) display.

Regarding claim 12, Vaio discloses Internet browsing (6 and 16).

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Regarding claim 13, Vaios discloses storing the sequence at the camera coordinator (308).

Regarding claim 15, Vaios discloses the image server including a network interface (14) allowing for multiple simultaneous client connections.

Regarding claim 22, Acosta et al discloses JPEG format (col. 8, line 23).

Regarding claim 28, Harman et al discloses camera coordinators including an interface for sending control signals to one or more cameras to affect camera conditions (col. 5, lines 14-29).

Regarding claim 29, Harman et al discloses rules regarding adjusting tolerance levels for determining if alarm should be transmitted (abs.).

Regarding claim 30, Harman et al discloses nature of pixel change detected and data sets from cameras (Fig. 6). Further, the Examiner takes official notice that a typical video camera recorder normally comprises the time and the day the image was taken.

Regarding claim 31, Vaios discloses the server to control a view of connected clients by creating new windows and directing images to those windows (Fig. 1, 8).

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vaios and Harman et al as applied to claim 2 above, and further in view of Cronin III et al (6,182,127 B1).

Regarding claim 8, Vaios does not specifically disclose the well known GIF still image format. However, Cronin discloses common PNG and GIF still image format (Col. 4, lines 5-26). Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a method for surveillance as taught by Vaios to incorporate the well known GIF still image format as taught by Cronin et al for flexibility in displaying the formatted view as GIF.

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*Allowable Subject Matter*

6. Claim 32 is objected to as being dependent upon a rejected base claim 1 but would be allowable: if claim 32 is rewritten in independent form including all of the limitations of the base claim 1. Dependent claim 32 recites the novel features as combined.

The art of record fails to anticipate or make obvious the novel features as specified in the dependent claim 32. Accordingly, if the amendments are made to the claims listed above, and if rejecteds claims are canceled, the application would be placed in condition for allowance.

*Conclusion*

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number (703) 305-0099 and schedule are Tuesday through Friday.

SSA 

November 2, 2003

SHAWN AN  
PATENT EXAMINER